

**Sole Source Justification Form  
Part I**

Requesting Agency/University: Capital Development Board  
Name of Requestor: James Cockrell  
Project Title: 104-141-010 Water Distribution  
Vendor: The Upchurch Group  
Value of Initial Term, or if a Renewal, Value of this Renewal: \$ 2455

Date: 5/15/2013      Bulletin or Reference Number: 12031022  
Department/Bureau/Section: Capital Planning,

Value is: ☒ Actual    ☐ Estimated

**Term**

- ☐ One-Time Purchase  
☒ Term Contract

Proposed Sole Source Contract Begin Date: 6/10/2013

Proposed Sole Source Contract End Date: 8/30/2013

**Renewals**

# of Potential/Remaining Renewals: N/A

Length of Each Renewal in Months:

Total Value of All/Remaining Renewals: \$

- This is a:    ☐ New Sole Source                      ☐ Change Order or Amendment to an Existing Sole Source  
                 ☐ New Sole Economically Feasible Source    ☒ Extension or Continuation of Vendor Responsibilities to an Existing Contract  
                 ☐ Pre-Negotiated Sole Source Renewal

Professional and Artistic? ☐ Yes    ☒ No

Sole Source may not be used for amendments for Professional or Artistic Services if the amendment would increase the value by more than 5% of the initial award or extend the term by more than 60 days.

Provide a description of the supplies or services required: Provide design services and to continue warranty, insurance, and other liability requirements or considerations established in the prior contract. Assist as needed with remaining contractor work to be performed including a proposed change order.

**Funding**

Select the type of funding to be used:

- ☐ Federal Funds    ☒ State Appropriated Funds    ☐ State Grant Funds    ☐ Other (Explain):

This purchase is economically only available from a single source because it is:

- ☐ Art or Entertainment Services or Athletic Events  
☐ Compatibility of Equipment, Accessories, Replacement Parts or Service  
☐ Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Contract Holder  
☐ Federal/State Grant Requires Contract with Vendor  
☐ Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s):  
☐ Item is to be Procured for Commercial Resale  
☐ Items Are Needed for Trial Use or Testing  
☐ Media for Advertising  
☐ Necessary Adjustment of Utility Facilities in Conjunction with Highway Construction  
☐ Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses)  
☐ Public Utility Regulated Services  
☐ Radio and Television Broadcast Rights  
☐ Railroad Crossings/Facilities Alterations – Proprietary  
☐ Software License/Upgrade/Maintenance  
☒ Other (Explain): Vendor will complete remaining work from an expired contract and retain warranty, insurance and liability considerations from the previous contract.

Has the Agency or University purchased these supplies/services in the past?    ☒ Yes    ☐ No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term:	Term From:	Term To:	Value	Description:	Type:
One	6/12/2009	10/14/09	\$ 39,570	A/E Services	Sole Source
Two			\$		Select One
Three			\$		Select One
Four			\$		Select One
Five			\$		Select One
Six			\$		Select One
Seven			\$		Select One
Eight			\$		Select One
Nine			\$		Select One
Ten			\$		Select One

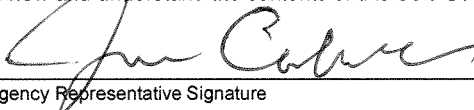
If more than 10 years, explain:

## Business Rationale

1. Provide a detailed explanation of the need for the supplies or services: Vendor will be completing remaining design service from an expired contract which inadvertently expired. The remaining work is minimal but necessary to complete this project.
2. Why are the requested supplies or services the only one that can satisfy your requirements? The requirements set forth in the design specifications and plans were prepared by the A/E of record for this project. Upchurch Group was selected through competitive QBS process. It is only economically feasible to continue to use the A/E to complete this design work.
3. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: Vendor has completed design services under the expired contract, construction has been nearly completed, and this vendor is the sole economically feasible source for the remaining services. The A/E has completed nearly all work for this project to this point for the services and only have a few minor issues to be complete
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: A/E has already completed nearly all design work and only has a few small items to finish in order to be completed with their work from the previous contract totaling \$39,570.
5. Were alternative supplies or services evaluated? ☐ Yes ☒ No
  - 5a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility:
  - 5b. If no, why were alternatives not evaluated? Vendor has completed design services under the expired contract and is the sole economically feasible source for the remaining services.
6. What efforts were made to get the best possible price? Pricing was previously negotiated under the prior contract. CDB has a centralized A/E fee handbook that governs contract negotiations.
7. Will this purchase obligate the State to this vendor for future purchases such as maintenance, licensing or continuing need? ☐ Yes ☒ No
  - 7a. If yes, please provide details regarding future obligations and/or needs:
8. Why is the price for this purchase considered to be fair and reasonable? CDB has an approved centralized fee negotiation process which was utilized for negotiations of the agreed upon fee.
9. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: No
10. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required? The state of Illinois will incur the additional cost of new firm to re-do work already paid for causing increased financial burden to the state

## Agency Representative Signature Required

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct.

  
\_\_\_\_\_  
Agency Representative Signature

James Cockrell  
\_\_\_\_\_  
Printed Name

5/21/13  
\_\_\_\_\_  
Date

(217) 558-4263  
\_\_\_\_\_  
Agency Representative Telephone Number

James.Cockrell@illinois.gov  
\_\_\_\_\_  
Agency Representative Email Address

## SPO Approval and Signature Required

  
\_\_\_\_\_  
SPO Signature

Christopher Flynn  
\_\_\_\_\_  
Printed Name

5/24/13  
\_\_\_\_\_  
Date

217-558-2185  
\_\_\_\_\_  
SPO Telephone Number

Christopher.Flynn@illinois.gov  
\_\_\_\_\_  
SPO Email Address